

MEMORANDUM

Texas Department of Human Services Long Term Care-Regulatory * Survey and Certification Clarification

TO: Long Term Care-Regulatory
Regional Directors and State Office Managers

FROM: Evelyn Delgado
Assistant Deputy Commissioner
Long Term Care-Regulatory

SUBJECT: Complaint and Incident Intake Functions - **S&CC Memo 03-08**
(Replaces S&CC Memo 99-20)

DATE: May 19, 2003

The Texas Department of Human Services (DHS) is required to report the number of complaints received and the actions taken for each complaint to the Texas Legislature. To assure that we provide accurate reports, it is important that you adhere to the following policy clarification.

Complaints About Providers and Incidents Reported by Providers

The following types of complaints and incidents are referred to Long Term Care-Regulatory (LTC-R) Customer Services in State Office, regardless of where they are first received:

- Complaints about providers;
 - Incidents reported by providers; and
 - Requests to withdraw a complaint.
- (Note: DHS will not withdraw complaints alleging abuse, neglect and/or exploitation.)

Regional Responsibilities:

When a regional office receives a complaint or incident described in the preceding paragraph, regional staff will:

1. Inform the caller that intakes of this nature are accepted by the LTC-R Customer Services hotline in State Office at (800) 458-9858. Transfer the caller to the toll-free number, when possible.
2. Accept a **complaint about a provider** or a **request to withdraw a complaint** when the person calling is a legislative representative (unless the legislative representative prefers to speak to someone in State Office), or when the person calling is unwilling to call or be transferred to the Customer Services hotline in State Office.
 - a. When a regional office accepts a **request to withdraw a complaint**, regional staff **must** inform the person that DHS will not withdraw complaints alleging abuse, neglect and/or exploitation, because DHS is required to investigate these allegations to protect client/resident health and safety.

- b. When a regional office accepts a **complaint about a provider** or a **request to withdraw a complaint**, regional staff will **immediately** forward the information to Customer Services via:

- Facsimile to (877) 438-5827 or (512) 438-2724, or
- Electronic mail to Edie.Zumwalt@dhs.state.tx.us; Gail.Mccristle@dhs.state.tx.us or Charline.Stowers@dhs.state.tx.us.

Customer Services staff will data enter the information into the appropriate LTC-R tracking system to create an intake record. Regional staff must notify Customer Services of any change that needs to be made to an intake record.

Complaints About Surveyors

Complaints about surveyors may be accepted by the regional administrator, regional director or the LTC-R Customer Services hotline at (800) 458-9858. Refer to Provider Letter #02-42 – “Complaints Regarding Surveyors” for additional contact information.

General Information

For questions about provider complaints or self-reported incidents, contact Charline Stowers, Customer Services Section Manager, at (512) 438-2633. For questions about surveyor complaints, contact Linda Williams, Program Specialist in Quality Management, at (512) 438-2632.

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Evelyn Delgado

ED:jw

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